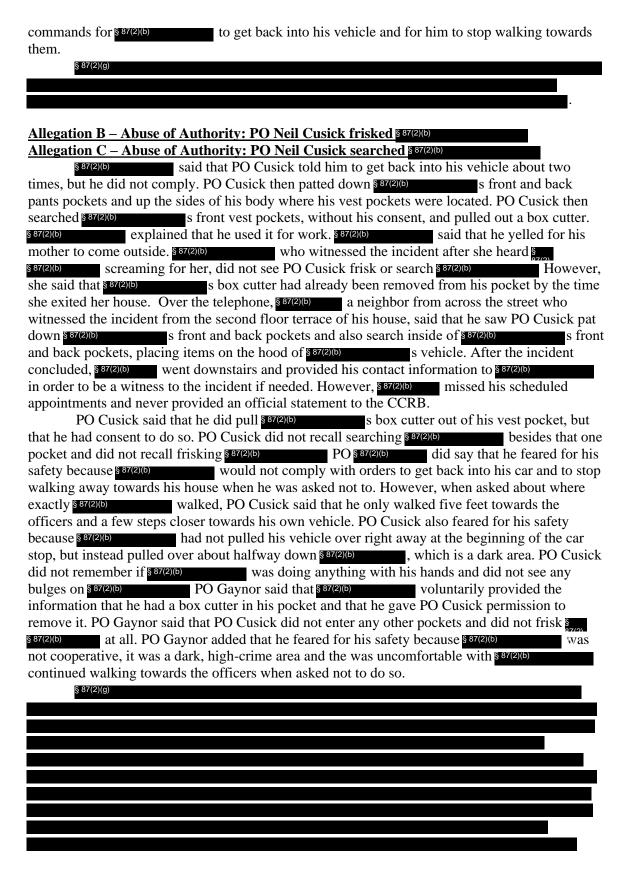
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Fo	rce	$\overline{\checkmark}$	Discourt.	☐ U.S.
Cassandra Fendley		Squad #5	201404275	☑ At	ouse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Prec	inct:	18	Mo. SOL	EO SOL
Thursday, 05/01/2014 11:00 PM		§ 87(2)(b)		10	01	11	1/1/2015	11/1/2015
Date/Time CV Reported		CV Reported At:	How CV Reported:		Date/Time Received at CCRB			
Fri, 05/02/2014 4:30 PM		CCRB	Phone		Fri, 05/02/2014 4:30 PM			
Complainant/Victim	Type	Home Addre	SS					
Witness(es)		Home Addre	ss					
Subject Officer(s)	Shield	TaxID	Command					
1. POM Neil Cusick	03048	948839	101 PCT					
Witness Officer(s)	Shield N	o Tax No	Cmd Name					
1. POM Sean Gaynor	20449	951766	101 PCT					
Officer(s)	Allegation	on			Inve	stiga	tor Recon	nmendation
A.POM Neil Cusick	Discourtesy: PO Neil Cusick spoke rudely to \$87(2)(b)							
B.POM Neil Cusick	Abuse: P	O Neil Cusick frisked § 8	37(2)(b)					
C.POM Neil Cusick	Abuse: P	O Neil Cusick searched	§ 87(2)(b)					

Case Summary

On May 1, 2014, at approximately 11:00 p.m., \$87(2)(5) s vehicle was pulled over by PO Neil Cusick and PO Sean Gaynor, both of the 101st Precinct, for driving without his headlights and for illegal window tints. \$87(2)(5) pulled his vehicle over just in front of his residence, at \$87(2)(5) in Queens, and immediately exited his vehicle. It was alleged that PO Cusick told \$87(2)(5) to get the "fuck" back into his vehicle, but he refused to do so (Allegation A). It was also alleged that PO Cusick frisked \$87(2)(5) screamed for his mother, who exited their residence, and it was alleged that PO Cusick asked who the "hell" she was and told him not to "fucking" move (subsumed in Allegation A). \$87(2)(5) was released with two summonses, \$87(2)(5)
Mediation and Criminal Histories PO Cusick and PO Gaynor all accepted to mediate this complaint. However, during the mediation, \$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\
 <u>Civilian and Officer CCRB Histories</u> PO Cusick has been a member of the service for four years and this is the first complaint against him (encl. 1 A). This is \$\frac{867(2)(0)}{2}\$ s first CCRB complaint (encl. 1 B).
Investigative Findings and Recommendations
Allegations Not Pleaded
§ 87(2)(g)
Allegation A – Discourtesy: PO Neil Cusick spoke rudely to \$87(2)(b) alleged that when he got out of his vehicle after he was stopped by the officers, PO Cusick immediately told him to get the "fuck" back into his vehicle. \$37(2)(b) said that after his mother exited their residence and he was already handcuffed, he was moving around. \$87(2)(b) s mother was and told \$87(2)(b) s mother was and told \$87(2)(b) said that when \$87(2)(b) was moving around while he was handcuffed, PO Cusick told him to stay the "fuck" still. She did not hear PO Cusick use any other profanity (encl. 3 J-M). \$87(2)(b) s 887(2)(c) s 887(2)(d) s 887(2)(encl. 3 A). Further, both PO Cusick (encl. 4 A-G) and PO Gaynor (encl. 4 H-N) said

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§ 87(2)(g)						
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Pod: 5						
Investigator:						
Signature	Print	Date				
Supervisor:						
Title/Signature	Print	Date				
Reviewer:						
Title/Signature	Print	Date				
Reviewer:						
Title/Signature	Print	Date				